

1 Jerry L. Marks (SBN 135395)  
2 Email: jmarks@milbank.com  
3 Aaron Renenger (SBN 222675)  
4 Email: arenenger@milbank.com  
5 MILBANK, TWEED, HADLEY & McCLOY LLP  
6 601 S. Figueroa Street, 30th Floor  
7 Los Angeles, California 90017  
8 Telephone: (213) 892-4000  
9 Facsimile: (213) 629-5063

10 David R. Gelfand (*admitted pro hac vice*)  
11 Email: dgelfand@milbank.com  
12 Rachel Penski Fissell (*admitted pro hac vice*)  
13 Email: rfissell@milbank.com  
14 MILBANK, TWEED, HADLEY & McCLOY LLP  
15 1 Chase Manhattan Plaza  
16 New York, NY 10005  
17 Telephone: (212) 530-5000  
18 Facsimile: (212) 822-5661  
19 *Attorneys for Defendants STA Development, LLC,*  
20 *Solar Trust of America, LLC, Solar Millennium, Inc.,*  
21 *CA I-10 Solar, LLC, Palo Verde Solar I, LLC,*  
22 *Palo Verde Solar II, LLC, Blythe Solar Power Project*  
23 *Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,*  
24 *Blythe Solar Power Project Unit 3, LLC and*  
25 *Blythe Solar Power Project Unit 4, LLC*

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 SAN FRANCISCO DIVISION

19 MMR GROUP, INC.,  
20 MMR POWER SOLUTIONS, LLC and  
21 SOUTHWESTERN POWER GROUP II, LLC,  
22 Plaintiffs,

23 vs.

24 STA DEVELOPMENT, LLC (F/K/A SOLAR  
25 MILLENNIUM, LLC), SOLAR TRUST OF  
26 AMERICA, LLC, SOLAR MILLENNIUM AG,  
27 SOLAR MILLENNIUM, INC., CA I-10 SOLAR, LLC,  
28 PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR  
II, LLC, BLYTHE SOLAR POWER PROJECT UNIT 1,  
LLC, BLYTHE SOLAR POWER PROJECT UNIT 2,  
LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC  
AND BLYTHE SOLAR POWER PROJECT UNIT 4, LLC  
Defendants.

Case No. 3:11-cv-01521-EMC

**TENTH STIPULATION TO  
EXTEND DEFENDANTS'  
TIME TO RESPOND TO  
AMENDED COMPLAINT  
AND [PROPOSED] ORDER**

**The Honorable Judge  
Edward M. Chen**

1 Plaintiffs MMR GROUP, INC., MMR POWER SOLUTIONS, LLC and  
 2 SOUTHWESTERN POWER GROUP II, LLC (collectively, “MMR”) and Defendants STA  
 3 DEVELOPMENT, LLC, SOLAR TRUST OF AMERICA, LLC, SOLAR MILLENNIUM, INC.,  
 4 CA I-10 SOLAR, LLC, PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR II, LLC,  
 5 BLYTHE SOLAR POWER PROJECT UNIT 1, LLC, BLYTHE SOLAR POWER PROJECT  
 6 UNIT 2, LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC AND BLYTHE SOLAR  
 7 POWER PROJECT UNIT 4, LLC (collectively, the “STAD Defendants”) respectfully request  
 8 that the Court extend the time for the STAD Defendants to respond to the Amended Complaint,  
 9 filed on October 4, 2011 (ECF No. 102) and served on the STAD Defendants on October 7, 2011,  
 10 by two weeks from February 21, 2012 to March 6, 2012.

11 On November 4<sup>th</sup> and 14<sup>th</sup>, the parties requested, and this Court later granted, a one-week  
 12 extension of time for the STAD Defendants to respond to the Amended Complaint because the  
 13 parties were in advanced stages of settlement discussions. On November 22<sup>nd</sup>, December 1<sup>st</sup>,  
 14 December 27<sup>th</sup>, January 10<sup>th</sup>, January 20<sup>th</sup>, and February 3<sup>rd</sup>, the parties requested, and this Court  
 15 later granted, extensions of two weeks due to continued progress in settlement negotiations.

16 In December 2011, Solar Millennium AG – parent company of the STAD Defendants –  
 17 filed for bankruptcy in Germany. This has complicated the extensive settlement discussions  
 18 between Plaintiffs and STAD Defendants, which involve a deal with a third-party purchaser of  
 19 STA Development, LLC’s assets. Despite these complications, the parties remain optimistic that  
 20 a settlement is on the horizon and that they will execute a settlement agreement forthwith. Due to  
 21 the continued progress in reaching a settlement, the parties request a two-week extension of the  
 22 time for the STAD Defendants to respond to the Amended Complaint. The parties’ request will  
 23 have a *de minimis*, if any, impact on the schedule. In the interests of judicial economy, the parties  
 24 therefore request that the Court extend the STAD Defendants’ time to respond to the Amended  
 25 Complaint by two weeks from February 21, 2012 to March 6, 2012.

26

27

28

1 Dated: February 21, 2012

**MILBANK, TWEED, HADLEY & McCLOY LLP**

2 By: /s/ Aaron Renenger

3 Jerry L. Marks (SBN 135395)  
4 Aaron Renenger (SBN 222675)  
5 601 S. Figueroa Street, 30th Floor  
6 Los Angeles, California 90017  
7 Telephone: (213) 892-4000  
8 Facsimile: (213) 629-5063

9 David R. Gelfand (*admitted pro hac vice*)  
10 Rachel Penski Fissell (*admitted pro hac vice*)  
11 1 Chase Manhattan Plaza  
12 New York, NY 10005  
13 Telephone: (212) 530-5000  
14 Facsimile: (212) 822-5661

15 *Attorneys for Defendants STA Development, LLC,  
16 Solar Trust of America, LLC, Solar Millennium, Inc.,  
17 CA I-10 Solar, LLC, Palo Verde Solar I, LLC,  
18 Palo Verde Solar II, LLC, Blythe Solar Power Project  
19 Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,  
20 Blythe Solar Power Project Unit 3, LLC and Blythe Solar  
21 Power Project Unit 4, LLC*

22 Dated: February 21, 2012

**WATT, TIEDER, HOFFAR & FITZGERALD, LLP**

23 By: /s/ Nicholas A. Merrell

24 Bennett J. Lee (CA Bar No. 230482)  
25 Nicholas A. Merrell (CA Bar No. 240795)  
26 Regina A. Verducci (CA Bar No. 264996)  
27 333 Bush Street, Suite 1500  
28 San Francisco, CA 94104  
Telephone: 415-623-7000  
Facsimile: 415-623-7001

*Attorneys for Plaintiffs MMR Group, Inc., MMR Power  
Solutions, LLC and Southwestern Power Group II, LLC*

29 PURSUANT TO STIPULATION, IT IS SO ORDERED.

30 Dated: 2/21/12

